

**BOARD OF COMMISSIONERS
REGULAR MEETING
315 WEST SECOND STREET
FRANKFORT, KY 40601
502/875-8500**

**August 25, 2008
5:30 P.M. (EDT)**

1. INVOCATION

Rev. Chuck Beighle, Memorial Baptist Church

PLEDGE OF ALLEGIANCE

John Hammond

ROLL CALL

MINUTES

July 28, 2008 Regular Meeting; August 11, 2008 Work Session.

MAYOR'S REPORT

2. CEREMONIAL ITEMS

3. ORDINANCES

- 3.1 SECOND READING:** An Ordinance to amend The City Of Frankfort's Code of Ordinances – Chapter 36 –Authorities, Boards, Commissions and Departments; by amending Section 36.017.F. Of Ord. 1, 1999, Ord. 15, 1999, And Ord. 13, 2002; by amending Section 36.066 (B) of 1970 Code, §2.48.030; and by amending Section 36.067.(B) of 1970 Code, §2.48.030.

Purpose: To amend the City of Frankfort's Code of Ordinances – Chapter 36 Authorities, Boards, Commissions and Departments; by increasing the amount of compensation for its board members by \$25. More specifically to amend the compensation of Planning Commission members from \$50 per meeting to \$75 per meeting; the Board of Adjustment members compensation from \$25 per meeting to \$50 per meeting; and the Code Enforcement Board members compensation from \$25 per meeting to \$50 per meeting.

Background: In 1970, the compensation for Board members was established. In 1999, the Code enforcement Board was added with the same compensation as the BZA at \$25/ meeting while the Planning Commission was \$50/meeting.

On March 5, 2008, the Bluegrass ADD provided its members a comparison of application fees for the District, and recommended that local jurisdictions review their fees. The topic of Board compensation was also discussed. In May 2008 the Planning Commission's Special Select Committee – Budget Committee – met and recommended that each Board member compensation be increased by \$25 per regular meeting.

On June 12, 2008, the Frankfort/Franklin County Planning Commission held a public meeting and voted approval to recommend the City of Frankfort's Board of Commissioners and Fiscal Court to approve a \$25 per month increase for BOA, CEB, and PC member compensation.

This Ordinance had its first reading on July 28, 2008.

Financial Impact: Minimal; the City's contribution can be provided within the Planning Department's account.

Attachment:

- Ordinance

Recommendation: Approval

Contact Person

Name: Gary Muller
Title: Director
Department: Planning and Building Codes
Phone: 502/875-8500
Email: gmuller@frankfort-ky.gov

- 3.2 SECOND READING:** An Ordinance amending the Frankfort Code Of Ordinances, Chapter 150 Building Regulations; Construction; Section 150.01. – Building Code, Sub-Sections 150.01(B)(2); 150.01(B)(3)(H); 150.01(B)(5); 150.01(C); and 150.06 (A)(1) is hereby amended as indicated in this Ordinance.

Purpose: To amend the fee schedule within Ordinance 15, Series 2003 and to update the reference for the adopted Kentucky Building Code and the Kentucky Residential Code.

Background: The last update to the City's fee schedule relating to permits was in 2003. Staff believes that it is appropriate and necessary to re-evaluate the permit fees to better reflect the cost to the City and to be consistent with the State Building Code.

The proposed fees are less or equal to those currently adopted by Franklin County as well as those within the Bluegrass ADD District. A comparison table of other jurisdictions within the Bluegrass ADD District has been provided.

This Ordinance had its first reading on July 28, 2008.

Financial Analysis: Minimum impact by decreasing the permit fee from \$30.00 to \$5.00 for items that do not require a building permit per the Kentucky Building Code.

Attachment:

- Ordinance

Recommendation: Approval

Contact Person

Name: Gary Muller
Title: Director
Department: Planning and Building Codes
Phone: 502/875-8500
Email: gmuller@frankfort-ky.gov

- 3.3 SECOND READING:** An Ordinance creating the positions of Building Maintenance Foreman and GIS Technician.

Purpose: To authorize creating the positions of Building Maintenance Foreman in the Public Works Department and GIS Technician in the Sewer Department.

Background: The Public Works Department entered into a contract for custodial services with a local firm in March 2008. Accordingly, two custodian positions are vacant. The department desires to create the position of Building Maintenance Foreman to enable a staff person to assume responsibility for maintenance of city properties. The funding for this position is available from the two unfilled custodian positions.

With the increasing demands on the Sewer Department by the KYDOW and USEPA to document work and implement CMOM, it is critical that the Department have an individual with GIS background and knowledge to ensure coordination with our new Work Order Program, as well as assist with the rollout of additional initiatives that are forthcoming. The correct individual will enable the Department to implement new technologies that will reduce operating costs and save current and future labor costs. This individual would be assigned to the IT Group, but would report to and work for the Sewer Department. This individual could assist with orthophoto data conversion and/or contour generation. This position would be available to support IT and other city departments in the event of an emergency.

This Ordinance had its first reading on July 28, 2008.

Financial Analysis: Both positions are included in the 2008-2009 Fiscal Year budget.

Recommendation: Approval

Attachment:

- Ordinance

Contact Person:

Name:	John Morrow	Jeff Hackbart	Bill Scalf
Title:	Director	Director	Director
Department:	Personnel	Public Works	Sewer
Phone:	502/875-8500	502/875-8500	502/875-2448
Email:	jmorrow@frankfort-ky.gov	jhackbart@frankfort-ky.gov	wscalf@frankfort-ky.gov

- 3.4 SECOND READING:** An Ordinance amending the Frankfort Code of Ordinances Section 37.32 – Pay Plan – to establish the rate of pay for the new position of Building Maintenance Foreman.

Purpose: To authorize establishing the pay plan for the position of Building Maintenance Foreman in the Public Works Department.

This Ordinance had its first reading on July 28, 2008,

Financial Analysis: This position is included in the 2008-2009 Fiscal Year budget.

Recommendation: Approval

Attachment:

- Ordinance

Contact Person:

Name:	John Morrow	Jeff Hackbart	Bill Scalf
Title:	Director	Director	Director
Department:	Personnel	Public Works	Sewer
Phone:	502/875-8500	502/875-8500	502/875-2448
Email:	jmorrow@frankfort-ky.gov	jhackbart@frankfort-ky.gov	wscalf@frankfort-ky.gov

- 3.5 SECOND READING:** An Ordinance amending the Frankfort Code of Ordinances Section 37.35 – Positions for Sewer Department – to establish the rate of pay for the new position of GIS Technician.

Purpose: To authorize establishing Pay Plan for the position of GIS Technician in Sewer Department.

This Ordinance had its first reading on July 28, 2008.

Financial Analysis: This position is included in the 2008-2009 Fiscal Year budget.

Recommendation: Approval

Attachment:

- Ordinance

Contact Person:

Name:	John Morrow	Jeff Hackbart	Bill Scalf
Title:	Director	Director	Director
Department:	Personnel	Public Works	Sewer
Phone:	502/875-8500	502/875-8500	502/875-2448
Email:	jmorrow@frankfort-ky.gov	jhackbart@frankfort-ky.gov	wscalf@frankfort-ky.gov

- 3.6 FIRST READING:** An Ordinance fixing the rate of taxation for the year 2009 on all motor vehicles and levying said tax for all City purposes.

Purpose: The purpose of this item is to consider an ordinance to set the tax rate for motor vehicles for the year 2009 at 22.7 cents per \$100 valuation.

Background: The tax rate must be set no later than 10-1-08 as required by the Kentucky Department of Revenue. The tax rate proposed for 2009 is the same rate as approved for 2008.

Recommendation: Approval

Attachment:

- Ordinance

Contact Person:

Name:	Steve Dawson
Title:	Director
Department:	Finance
Phone:	502/875-8500
Email:	sdawson@frankfort-ky.gov

- 3.7 PUBLIC HEARING AND FIRST READING:** An Ordinance Fixing the Rate of Taxation for the Year 2008 on all Tangible Property subject to tax, Trust and Insurance Companies, Public Service Companies and Levying said tax for all City purposes.

Purpose: The purpose of this item is to consider an ordinance setting the tax rate for 2008 Ad Valorem Taxes (allowing a 4% increase) and setting the rate for 2008 Insurance Taxable Capital Taxes.

Background: Proposed rates for 2008 are as follows (for General Fund Purposes):

- | | |
|------------------------------|------------|
| 1. Ad Valorem | 20.1 cents |
| 2. Insurance Taxable Capital | 15.0 cents |

Rates are levied for each \$100 valuation.

The 2007 Ad Valorem Tax rate was set at 19.9 cents.

Financial Analysis: The rates will be 20.1 for 2008 and as a result the city will net an additional \$157,080 due to the change. Included in the increase is \$30,270 derived from new property.

Recommendation: Approval

Attachments:

- Public Hearing Notice

- Ordinance

Contact Person:

Name: Steve Dawson
Title: Director
Department: Finance
Phone: 502/875-8500
Email: sdawson@frankfort-ky.gov

- 3.8** An Ordinance Amending Frankfort Code Of Ordinances Chapter 50, Garbage; Solid Waste, Section 50.10, Recycling Program.

Purpose: To amend the current solid waste ordinances to allow the city to collect commercial recycling from the Downtown Renaissance District.

Background: On 8/11/08, Ms. Kelly Everman of Downtown Frankfort Inc. requested that the Board of Commissioner's consider amending the current Solid Waste Ordinance to allow collection of recycling material from downtown business. Staff recommendations have been incorporated into the proposed solid waste collection ordinance. The downtown service area for commercial recycling would be defined by the Downtown Renaissance District. The Downtown Renaissance District is defined by the area within the boundaries of Second Street, High Street, Mero Street and the Kentucky River. The commercial customers must purchase a recycling container from the city and service would limited to one time per week on the designated day.

Financial Analysis: The City will keep the net proceeds from the recycling material to offset the collection cost.

Recommendation: Approval

Attachment:

- Ordinance

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: 502/875-8500
Email: jhackbart@frankfort-ky.gov

- 4. ORDERS**
 None

5. RESOLUTIONS

- 5.1** Resolution assigning the City of Frankfort Emergency Management Director as the primary Applicant's Agent and the City of Frankfort Finance Director as the Alternate Applicant's Agent to administer FEMA Disaster Relief and Grant funding (Frankfort Office of Disaster and Emergency Services).

Purpose: To designate the City of Frankfort Director of DES and the Finance Director as the primary and alternate "Designated Applicant's Agents" to administer FEMA disaster relief and grant funding.

Background: On February 5 – 6, 2008, Frankfort and areas of Franklin County experienced severe storms, tornados, straight-line winds, and flooding. FEMA issued a major disaster declaration for Kentucky on February 21, 2008. A request for public assistance was filed on March 25, 2008 by DES Director Deron Rambo with his signature. Notification of reimbursement to the city for disaster related costs totaling \$200,671.43 has been received for expenses relating to various city departments and the Frankfort Plant Board.

FEMA and Kentucky Emergency Management require that a Resolution designating the city's "Applicant's Agent" be adopted and submitted in order to receive the funds. The "Applicant's Agent" designated by resolution must be the same person who submitted the request for public assistance. However, an alternate "Designated Applicant's Agent" may also be named in the Resolution for signatory purposes for future disasters and applications for federal assistance.

Financial Analysis: The city will receive \$200,671.43 from FEMA for disbursements as follows:

- Frankfort Plant Board - \$119,978.51
- City Police, Parks and Recreation, Public Works, and Sanitation - \$80,692.92

Recommendation: Approval

Attachments:

- Resolution
- Request for Public Assistance
- FEMA Federal Register Notice
- Public Assistance Grant Summary
- Applicant Assurances

Contact Persons

Name:	Deron Rambo	Wallace Possich
Title:	DES Director	Fire Chief
Department:	DES	Fire
Phone:	502/682-2726	502/875-8511
Email:	drambo@frankfort-ky.gov	wpossich@frankfort-ky.gov

5.2 Resolution Supporting The Frankfort Area's 10 Year Plan To Reduce Chronic Homelessness.

Purpose: The purpose of this item is to consider supporting the Frankfort Area's 10 Year Plan to Reduce Chronic Homelessness.

Background: The state of Kentucky recently adopted a statewide Ten Year Plan to End Chronic Homelessness. In April of 2006 several cities in Kentucky, including Frankfort, were asked to consider creating a Ten Year Plan to End Chronic Homelessness for their communities. The City of Frankfort is only the second community in the state to contact the Kentucky Housing Corporation to inquire about how to begin creating a plan. KHC has agreed to give the city a \$5,000.00 grant to help offset some of the administrative fees for this project. The Mayor invited a number of local service providers and interested citizens to participate in the Coalition. The Coalition made a presentation to the Commission on Monday, August 11, 2008 with recommendations and would like the Commission's support

Attachment:

- Resolution

Contact Person:

Name: Rebecca Hall
Title: Grants Manager
Department: City Manager
Phone: 502/875-8500
Email: rhall@frankfort-ky.gov

6. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so

requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.

6.1 To authorize bidding for an elevator for the Capital City Museum (Parks, Recreation, and Historic Sites).

Purpose: To seek authorization to bid for a 1,400 lb. Capacity elevator for the Capital City Museum.

Background: In order to expand the museum to the second floor, an elevator is necessary for the building. This will make the building accessible under the Americans With Disabilities Act.

The project will be bid as two projects: 1) general contractor; and 2) elevator companies. A pre-bid conference will be held with all potential bidders. The elevator contractor will become a subcontractor of the general contractor, and will assume total liability.

Financial Analysis: Cost estimated at \$100,000 to be paid as follows:

- Museum Board - \$15,000
- Fort Hill Construction Account - \$10,000
- Account No. 100.85.54325 (Building Materials) - \$10,000
- Account No. 100.85.56550 - \$55,000

Other than the \$15,000 from the Museum Board, the remaining funding is in the current budget.

Recommendation: Approval

Attachment:

- General information estimate

Contact Person:

Name: Steve Brooks
Title: Director
Department: Parks, Recreation, and Historic Sites
Phone: 502/875-8575
Email: sbrooks@frankfort-ky.gov

6.2 To ratify the purchase of property at 312-314 St. Clair Street, known as the St. Clair Parking Garage property (City Solicitor).

Purpose: To ratify the purchase of property from Alice Hume at 312-314 St. Clair Street, known as the St. Clair Parking Garage property.

Background: The Board of Commissioners directed the City Solicitor to pursue negotiations for purchase of the St. Clair Parking Garage property. Fifty-percent (50%) of the property was owned by Alice Hume. As a result of negotiations with Ms. Hume, the property was purchased for \$250,000, the amount approved by the Board of Commissioners. The purchase of the remaining 50% interest in the property is under negotiation.

Financial Analysis: There will be a fiscal impact of \$250,000. Funds available in the Transportation Improvement Account No. 530.00.51100.

Recommendation: Approval

Attachments:

- Letter from City Solicitor
- Deed

Contact Person

Name: Robert C. Moore
Title: City Solicitor
Department:
Phone: 502/227-2271
Email: rmoore@hazelcox.com

- 6.3** To approve the annual maintenance contract between the City of Frankfort and Governmental Utilities Technology Service PVD Collect Program (Finance).

Purpose: To approve the annual maintenance contract between the City of Frankfort and Governmental Utilities Technology to service the property tax software program.

Background: PVD Collect offers a Property Tax Collection package that is used in Kentucky by thirteen counties and cities. The software package allows the use of bar code scanning to input payment data. This will improve the efficiency of the payment record keeping process. The current software does not have bar code capabilities without additional updates.

Financial Analysis: The cost of the new software is approximately \$9,000 less than the updated version of the City of Frankfort's current property tax software (CMI). Additionally, the annual maintenance cost is \$1,500.00 less per year.

Recommendation: Approval

Attachments:

- Contract

Contact Person

Name: Steve Dawson
Title: Director
Department: Finance
Phone: 502/875-8500
Email: sdawson@frankfort-ky.gov

- 6.4** To authorize a mowing, weed eating and bush hogging agreement with Stan's Lawn Care LLC (Stanley I. Ritchie, Jr.), and authorizing the Mayor to execute the service contract (Planning and Building Codes).

Purpose: To consider a mowing, weed eating and bush hogging agreement with Stan's Lawn Care LLC (Stanley I. Ritchie, Jr.), and authorizing the Mayor to execute the service contract.

Background: Prior to August 2004, the City's public works department would perform mowing services for properties that did not comply with the Property Maintenance Code. Since then, the city has entered into service agreements with Stan's Lawn Care from August 2004-2007, then with Capital Lawn Management from August 2007 to 2008.

A RFP was issued for the requested mowing services, rather than renewing the contract with Capital Lawn Management. Only one bid was received – being Stan's Lawn Care, LLC Attached is the service costs breakdown per the bid specifications.

Financial Analysis: Funds are allocated within the Planning and Building Codes Department Account No. 100-70-53295. All services conducted under this contract are billed to the property owner and reimbursed into this account. However, any bill not paid, a lien is placed upon the property, with interest.

Recommendation: Approval

Attachments:

- Bid received.

- Contract

Contact Person

Name: Gary Muller
Title: Director
Department: Planning and Building Codes
Phone: 502/875-8500
Email: Gmuller@frankfort-ky.gov

- 6.5** To authorize a contract award to Vanguard Contracting LLC for construction of 310-feet of 8-inch PVC pipe and one Manhole (Sewer).

Purpose: To award contract to Vanguard Contracting for construction of 310-feet of 8-inch PVC pipe and one Manhole. The project was bid on July 15 and Vanguard was the low bid at \$94,750.

Background: The Sewer Department received bids on July 15 to construct a section of sewer line to replace below standard sewer lines that currently run through the back yards on the 100 block of Shelby Street. This work is being performed because the history of sewer issues on the street. There is a KIA grant to offset this project cost in the amount of \$230,000.

Financial Analysis: Funds are available in Account No. 400.68.53295.

Recommendation: Approval

Attachments:

- Bid Tab

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort-ky.gov

- 6.6** To authorize approval of Amendment to the Engineering Services Agreement with HDR Engineering, Inc. (formally known as Quest Engineers) for additional services during construction of the Schenkel Cave Project (Sewer Department).

Purpose: To approve an Amendment to the Engineering Services Agreement with HDR Engineering Inc. for additional services during construction of the Schenkel Cave Project.

Background: In May 2005 the City of Frankfort entered into an agreement with Quest Engineers to design an upgrade to the Schenkel Cave sewer line. The design has been completed, submitted to the Division of Water, and appropriate approvals received. This agreement is for additional services from Quest Engineering during construction to oversee the contractor. These expenses were originally to be provided by the successful contractor, however the Sewer Department determined that it would be in the department's best interest to not have these under the contractor's responsibility.

Financial Analysis: The agreement calls for additional site visits and support on various aspects with mining for an additional fee of \$50,000. The agreement also provides additional resident representation to observe quantities and effectiveness of mining methods and rock overbreak for an additional fee of \$65,000.

Approved to Date	\$551,200
Amendment No. 3	<u>\$115,000</u>

Total Project Funding \$666,200

Funds are available in Account No. 300.68.56550.

Recommendation: Approval

Attachments:

- Amendment No. 3 to Engineering Services Agreement

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort-ky.gov

- 6.7** To authorize contract award to Cleary Construction, Inc. for replacement of approximately 1300-feet of 8-in clay sewer and 11 brick manholes with 8-in PVC and Precast manholes along Allnut Drive. (Sewer Department)

Purpose: To award contract to Cleary Construction, Inc. for replacement of approximately 1300-feet of 8-in clay sewer and 11 brick manholes with 8-in PVC and Precast manholes along Allnut Drive. The project was bid on August 1, and the lowest qualified bidder was selected.

Background: The Sewer Department received bids on August 1 to replacement of approximately 1300-feet of 8-in clay sewer and 11 brick manholes with 8-in PVC and Precast manholes. This work is being performed to replace substandard sewers along Allnut Drive. Current sewer lines are exposed in areas, have broken pipes and present storm water infiltration and maintenance issues.

Financial Analysis: Funds are available in Account No. 300.68.56550.

Recommendation: Approval

Attachments:

- Engineers Recommendation
- Bid Tab

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort-ky.gov

- 6.8** To authorize award of an engineering contract for design of the Indian Hills Sewer Extension - SEP #1 (Sewer Department).

Purpose: The purpose of this item is to consider awarding a contract to an engineering firm to perform an Engineering Design of a sewer extension in Indian Hills to provide sewer service to currently unsewered houses. This is Supplemental Environmental Project (SEP) associated with our Consent Judgment.

Background: In December 2007 the Sewer Department accepted Statements of Qualifications from engineering firms for prequalification into the Wet Weather Program. The Sewer Department received Statements of Qualifications from 27 firms. Upon review of the Statements of Qualifications, a qualified

engineering firm was selected for the Indian Hills Sewer Extension (SEP #1). Two members of the Sewer Department participated in the evaluations of firms for prequalification.

Based upon the firm's qualifications in multiple prequalification categories that apply to this project, it is recommended that the project be awarded to the team of Lee Engineering, LLC and Cann-Tech, LLC. The initial contract amount is in the process of being negotiated. Additional funds will be necessary upon completion of the Engineering Design for bidding, construction administration, construction observation and other services as may be required.

Financial Analysis: Funds are available in Sewer Account No. 300.68.56550.

Recommendation: Approval

Attachment:

- Contract

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@fewpb.com

- 6.9** To authorize award of a contract for the Engineering Design of the Westover Sewer Extension - SEP #2 (Sewer Department).

Purpose: The purpose of this item is to consider awarding a contract to an engineering firm to perform an Engineering Design of a sewer extension on Westover Drive to provide sewer service to currently unsewered houses. This is a Supplemental Environmental Project (SEP) associated with our Consent Judgment.

Background: In December 2007 the Sewer Department accepted Statements of Qualifications from engineering firms for prequalification into the Wet Weather Program. The Sewer Department received Statements of Qualifications from 27 firms. Upon review of the Statements of Qualifications, a qualified engineering firm was selected for the Westover Sewer Extension (SEP #2). Two members of the Sewer Department participated in the evaluations of firms for prequalification.

Based upon the firm's qualifications in multiple prequalification categories that apply to this project, it is recommended that the project be awarded to Kenvirons, Inc. The initial contract amount is in the process of being negotiated. Additional funds will be necessary upon completion of the Engineering Design for bidding, construction administration, construction observation and other services as may be required.

Financial Analysis: Funds are available in Sewer Account No. 300.68.56550.

Recommendation: Approval

Attachment:

- Contract

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@fewpb.com

- 6.10** Authorization to award a contract to HMB Professional Engineers for the preparation of an Operations and Maintenance Manual for the Wastewater Treatment Plant (Sewer Department).

Purpose: Authorization to award a contract to HMB Professional Engineers for the preparation of an Operations and Maintenance Manual for the Wastewater Treatment Plant.

Background: During a recent Compliance Inspection by the Regional Office of the Division of Water, the Sewer Department received a Notice of Deficiency regarding outdated Operations and Maintenance Manuals for the WWTP. This will be a total revision to the O & M Manuals to include the 2000 Plant Expansion, the recent Ozone Replacement and numerous other system upgrades at the plant. Deliverables will include both hardcopy and a digital version of the manual.

HMB was chosen for this work due to their familiarity with the plant and the work previously performed by the firm. Total fee for the design is \$92,500.

Financial Analysis: Funds are available in Account No. 200.68.53265.

Recommendation: Approval

Attachment:

- Contract

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort-ky.gov

- 6.11** To authorize additional funding to Continuing Engineering Services Agreement with Strand Associates, Inc. for engineering services related to the CSO Long Term Control Plan (Sewer Department).

Purpose: To increase funding to Strand Associates for engineering services associated with the Combined Sewer Overflow Interim Long Term Control Plan and the Long Term Control Plan (CSO LTCP) and other CSO related engineering needs.

Background: The recently negotiated Consent Judgment requires the Sewer Department to prepare and submit to the Division of Enforcement and the US EPA an Interim and Final Long Term Control Plan. Strand Associates has been assisting the Department with a multitude of CSO related services, including flow monitoring.

This funding increase, in the amount of \$300,000, will allow Strand to continue with their support of CSO related activities required by the Sewer Department. In particular this will allow Strand to complete activities associated with the Interim and Final Long Term Control Plans, as required by the Consent Judgment. Currently a total of \$639,800 has been awarded to Strand for professional services associated with the Long Term Control Plan. This additional funding will increase their Professional Services fees as follows:

Previously Awarded	\$639,800
Additional Funding	<u>\$300,000</u>
	\$939,800

Financial Analysis: Funds are available in Account No. 300.68.56550.

Recommendation: Approval

Attachments: None

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort-ky.gov

- 6.12** To approve a Settlement Agreement regarding collection services provided by Kentucky Accounts Services (City Solicitor).

Purpose: To obtain approval to enter into the Settlement Agreement with Kentucky Accounts Service providing for the termination of the contract with Kentucky Accounts Service. Pursuant to the contract with the City of Frankfort, Kentucky Accounts Service provided account collection services and incurred legal expenses where legal action was necessary to obtain a judgment against delinquent tax payers and to file a judgment lien. This Settlement Agreement provides for the termination of the contract between Kentucky Accounts Service and the City of Frankfort and provides for the equal distribution of any and all monies received pursuant to judgment liens filed by the attorneys for Kentucky Accounts Service. The City of Frankfort is currently taking more effective action to collect the delinquent taxes.

Background: To obtain approval to enter into the Settlement Agreement with Kentucky Accounts Service providing for the termination of the contract with Kentucky Accounts Service. Pursuant to the contract with the City of Frankfort, Kentucky Accounts Service provided account collection services and incurred legal expenses where legal action was necessary to obtain a judgment against delinquent tax payers and to file a judgment lien. This Settlement Agreement provides for the termination of the contract between Kentucky Accounts Service and the City of Frankfort and provides for the equal distribution of any and all monies received pursuant to judgment liens filed by the attorneys for Kentucky Accounts Service. The City of Frankfort is currently taking more effective action to collect the delinquent taxes.

Financial Analysis: There should be a positive fiscal impact to the City because the current collection option does not result in a fee of thirty percent (30%) of the collected amount to the collection agency or a fee of fifty percent (50%) of the collected amount to the collection agency where it was necessary to take legal action to collect the delinquent taxes.

Recommendation: Approval

Attachment:

- Settlement Agreement

Contact Person

Name: Robert C. Moore
Title: City Solicitor
Department:
Phone: 502/227-2271
Email: rmoore@hazelcox.com

- 6.13** To authorize the Mayor to sign the Deed between the City of Frankfort and the Hendricks heirs for the purchase of 312-314 St. Clair Street, known as the St. Clair Parking Garage (City Solicitor).

Purpose: To authorize the Mayor to sign the Deed whereby the City of Frankfort will purchase the Hendricks' interest in the property at 312-314 St. Clair Street, known as the St. Clair Parking Garage property.

Background: The Board of Commissioners directed the City Solicitor to pursue negotiations for the

purchase of the St. Clair Garage Parking property. Twenty Five Percent (25%) of the property is owned by the Hendricks heirs. As a result of negotiations with the Hendricks heirs, the City enter into a Purchase/Sale Contract providing the purchase of the Hendricks' 25% interest in the subject property for the amount of One Hundred Twenty Five Thousand Dollars (\$125,000.00).

Financial Analysis: There will be a fiscal impact of \$125,000, to be paid to the Hendricks' heirs. Funds available in the Transportation Improvement Account No. 530.00.51100

Recommendation: Approval

Attachment:

- Deed

Contact Person

Name: Robert C. Moore
Title: City Solicitor
Department:
Phone: 502/227-2271
Email: rmoores@hazelco.com

- 6.14** To approve an Agreement regarding the payment of violations of the Frankfort Property Maintenance Code owed by Willard Robbins (City Solicitor).

Purpose: To obtain approval to enter into an Agreement with Willard Robbins for the payment of \$1,200.00 due to violations of the Frankfort Property Maintenance Code.

Background Willard Robbins owed the City the amount of \$1,200.00 due to violations of the Frankfort Property Maintenance Code.

Financial Analysis: There should be a positive fiscal impact due to these fines being paid.

Recommendation: Approval

Attachment:

- Agreement

Contact Person:

Name: Robert C. Moore
Title: City Solicitor
Department:
Phone: 502/227-2271
Email: rmoores@hazelco.com

- 6.15** To approve a Pool Usage Agreement between Frankfort Area Swim Team (F.A.S.T.) and the City of Frankfort (Parks and Recreation).

Purpose: To authorization to sign the Pool Usage Agreement between FAST and the City of Frankfort.

Background: F.A.S.T. has entered into a Pool Usage Agreement with the City of Frankfort for a number of years whereby it is authorized to use the pool at Juniper Hills for swim practice and for a swim meet. FAST will pay the City of Frankfort the amount of \$750 for the usage of the pool and will also provide liability insurance for its use of the pool.

Financial Analysis: A positive fiscal impact of \$750.00.

Recommendation: Approval

Attachment:

- Pool Usage Agreement

Contact Persons:

Name:	Steve Brooks	Robert C. Moore
Title:	Director	City Solicitor
Department:	Parks and Recreation	
Phone:	502/875-8575	502/227-2271
Email:	sbrooks@frankfort-ky.gov	rmoores@hazelcox.com

- 6.16** To approve an Agreement between the City of Frankfort and Judy Graves/Just Kidz Child Care Center regarding the payment of delinquent net profits taxes (City Solicitor).

Purpose: To obtain approval to enter into an Agreement with Judy Graves/Just Kidz Child Care Center for the payment of the net profits tax and withholding taxes owed by Judy Graves/Just Kidz Child Care Center to the City of Frankfort.

Background: Judy Graves/Just Kidz Child Care Center owes the City the amount of \$5,115.15 in delinquent net profits taxes and withholding taxes, including penalty and interest. An Agreement has been negotiated with Judy Graves/Just Kidz Child Care Center requiring the payment of the tax due, plus penalty and interest and attorneys fees.

Financial Analysis: There should be a positive fiscal impact due to these taxes being paid.

Recommendation: Approval

Attachment:

- Agreement

Contact Person:

Name:	Robert C. Moore
Title:	City Solicitor
Department:	
Phone:	502/227-2271
Email:	rmoores@hazelcox.com

- 6.17** To approve a Lease Modification Agreement between the City of Frankfort and the Commonwealth of Kentucky Department of Juvenile Justice (City Solicitor).

Purpose: To obtain approval to enter into the Lease Modification Agreement with the Commonwealth of Kentucky Department of Juvenile Justice.

Background; The City of Frankfort purchased from New Market Associates, Inc., the improvement at 312-318 St. Clair Street, Frankfort, Kentucky (St. Clair Garage property). New Market Associates had entered into a lease agreement with the Commonwealth of Kentucky Department of Juvenile Justice. The Commonwealth of Kentucky has requested the City of Frankfort to enter into the Modification of Lease Agreement to reflect that the landlord for the Department of Juvenile Justice is the City of Frankfort rather than New Market Associates, Inc. The monthly rent to be paid to the City of Frankfort by the Commonwealth of Kentucky Department of Juvenile Justice is \$3,612.

Financial Analysis: There should be a positive fiscal impact to the City in the amount of \$3,612 per month.

Recommendation: Approval

Attachment:

- Lease Modification Agreement

Contact Person:

Name: Robert C. Moore
Title: City Solicitor
Department:
Phone: 502/227-2271
Email: rmoore@hazelcox.com

- 6.18** To authorize the Mayor to sign a Joint Funding Agreement with the U.S. Geological Survey (USGS) (Sewer).

Purpose: To authorize the Mayor to sign a Joint Funding Agreement with the U.S. Geological Survey (USGS) to operate the gauging station upstream of Lock 4 in the Kentucky River.

Background: When the U.S. Army Corps of Engineers turned over operation of Lock 4 to the Kentucky River Authority, the USGS took over operation of the gauging station located upstream of Lock 4, which had been funded by the Corps of Engineers. The gauging station data is used extensively by the Sewer Department to monitor river flows relative to our discharge permit requirements.

Financial Analysis: Funds are available in Account No. 200.68.53295. Annual cost to the Department is \$2,580 (October 1, 2008 – September 30, 2009).

Recommendation: Approval

Attachment:

- Joint Funding Agreement

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 502/875-2448
Email: wscalf@frankfort-ky.gov

- 6.19 Purpose:** To approve a Memorandum of Agreement between the City of Frankfort and the Commonwealth of Kentucky concerning fleet maintenance services (Public Works).

Background: The City of Frankfort wishes to obtain vehicle maintenance and wreck repair services from the Commonwealth of Kentucky Division of Fleet Management. The Agreement would allow city vehicles to be repaired at the State Garage for a labor rate of \$20.00/hour plus any required parts, supplies, and government disposal fees. The State Garage will complete all maintenance services on a vehicle that has a total cost of one thousand dollars (\$1,000.00) or less. The State Garage will complete or contract repairs with an estimated cost of up to five thousand dollars (\$5,000.00) after obtaining the approval of the city. If the repairs cannot be completed by the State Garage and is over five thousand dollars (\$5,000.00) in total cost, the city will be responsible for obtaining the repair services for the vehicle.

Financial Analysis: The State Garage's \$20.00/hr labor rate will be paid from the City Garage's budget. To offset this cost, a vacant position in the City Garage will not be filled. The parts and supplies shall be charged to the appropriate Department's Budget.

Recommendation: Approval

Attachment:

- MOA

Contact Person:

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: 502/875-8500
Email: jhackbart@frankfort-ky.gov

6.20	<u>Personnel Action</u> Promotion	<u>Employee</u> Daniel E. Fey	<u>Department</u> Sewer	<u>Date</u> 8-26-08	<u>Other</u> To Collection System Supervisor from Sewer Tech IV
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Attachments: None

Contact Person:

Name: John Morrow
Title: Director
Department: Personnel
Phone: 502/875-8500
Email: jmorrow@frankfort-ky.gov

7. BOARD APPOINTMENTS**8. OLD BUSINESS****9. NEW BUSINESS**

- 9.1** To consider authorization to apply for Kentucky Injury Prevention and Research Center Mini-Grant (KIPRC), and to authorize the Mayor to sign all grant – related documents (Fire Department).

Purpose: To request approval to apply for Kentucky Injury Prevention and Research Center Mini-Grant (KIPRC).

Background: The KIPRC has received funding from the National Center for Injury Prevention and Control of the Centers for Disease Control and Prevention (CDC) to fund a limited number of residential fire safety projects in Kentucky. Local agencies selected will receive 800 and 1,600 lithium battery powered smoke alarms to install in households they serve. In addition, chosen agencies will receive fire safety and smoke alarm information, training materials for the installers, \$1,000 credit for fire safety materials and a \$2,000 reimbursement for expenses. The grant was announced August 11, 2008 and the application deadline is September 1, 2008.

Financial Analysis: If selected, the city will receive \$1,000 credit for fire safety materials and up to \$2,000 reimbursement for expenses. There is no cost to the City.

Recommendation: Approval

Attachments:

- Grant Announcement / Information Letter

Contact Person

Name: Wallace Possich Title: Chief Department: Fire Phone: 502-875-8511 Email: wpossich@fewpb.com	Name: Dan Shouse Title: Public Information Officer Department: Fire Phone: 502-875-8544 Email: dshouse@frankfort-ky.gov
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- 10 CITIZEN COMMENTS**
- 11. COMMISSIONER COMMENTS**
- 12. ADJOURNMENT**